



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/561,503

12/19/2005

Satoshi Harai

58946US004

6419

32692 7590 02/13/2008
3M INNOVATIVE PROPERTIES COMPANY
PO BOX 33427
ST. PAUL, MN 55133-3427

EXAMINER

NORDMEYER, PATRICIA L

ART UNIT

PAPER NUMBER

1794

NOTIFICATION DATE

DELIVERY MODE

02/13/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

LegalUSDocketing@mmm.com
LegalDocketing@mmm.com

Office Action Summary	Application No. 10/561,503	Applicant(s) HARAI, SATOSHI	
	Examiner Patricia L. Nordmeyer	Art Unit 1794	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 December 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11, 13-16 and 21-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11, 13-16 and 21-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Withdrawn Rejections

1. The 35 U.S.C. 102(b) rejection of claims 10 – 20 in the office action dated October 4, 2007 is withdrawn due to Applicant's amendments in the response dated December 17, 2007.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 11, 13 – 16 and 21 – 26 are rejected under 35 U.S.C. 102(b) as being anticipated by JP 2002-23663.

JP 2002-23663 discloses a double-sided pressure-sensitive sheet (Figure 1) comprising, in the following order, a first pressure-sensitive adhesive layer (Figure 1, #4), a first black layer (Page 5 of the translation, Paragraph 0011, lines 10 - 27), a flexible base layer (Figure 1, #3), a second black layer (Page 5 of the translation, Paragraph 0011, lines 10 - 27), and a second pressure-sensitive adhesive layer (Figure 1, #2), wherein said first pressure-sensitive adhesive layer and second pressure-sensitive adhesive layer are the outermost layers on either side of the double-sided pressure-sensitive sheet (Figure 1, #4 and 2), and wherein the thickness of the double-sided pressure-sensitive sheet is no greater than 60 μm (Page 5 of the translation, Paragraph 0013, lines 16 - 22) as in claim 21. With regard to claim 11, the first black layer and

Art Unit: 1794

second black layer are black printed layers formed on each side of the flexible base layer (Page 5 of the translation, Column 1, Paragraph 0011, lines 10 - 27). Regarding claim 13, the laminate further comprises a reflective layer situated between the second black layer and the second pressure-sensitive adhesive layer (Page 4, Column 2, lines 1 - 10). As in claims 14 - 16, said reflective layer is a metal layer, a white film or a white printed layer (Page 5 of the translation, Column 1, Paragraph 0011, lines 10 - 27). JP 2002-23663 also discloses a double-sided pressure-sensitive sheet (Figure 1) comprising, in the following order, a first pressure-sensitive adhesive layer (Figure 1, #4), a first flexible base layer (Page 3 of the translation, Paragraph 0005, lines 14 - 22), a first black layer (Page 5 of the translation, Column 1, Paragraph 0011, lines 10 - 27), a lamination layer (Figure 1, #3), a second black layer (Page 5 of the translation, Column 1, Paragraph 0011, lines 10 - 27), a second flexible base layer (Page 3 of the translation, Paragraph 0005, lines 14 - 22), and a second pressure-sensitive adhesive layer (Figure 1, #2), wherein said first pressure-sensitive adhesive layer and said second pressure-sensitive adhesive layer are the outermost layers on either side of the double-sided pressure-sensitive sheet (Figure 1, #2 and 4), and wherein the thickness of the double-sided pressure-sensitive sheet is no greater than 60 μm (Page 5 of the translation, Paragraph 0013, lines 16 - 22) as in claim 22. With regard to claim 23, the double-sided pressure-sensitive sheet further comprises a reflective layer situated between the second black layer and the second pressure-sensitive adhesive layer (Page 4 of the translation, Column 2, lines 1 - 10). As in claims 24 - 26, said reflective layer is a metal layer, a white film or a white printed layer (Page 5 of the translation, Column 1, Paragraph 0011, lines 10 - 27).

Response to Arguments

4. Applicant's arguments filed December 17, 2007 have been fully considered but they are not persuasive.

In response to Applicant's argument that JP '663 fails to disclose the adhesive layers to be the outermost layers of the invention, JP '663 discloses that that adhesive layers are protected by separators (Figure 1, #1 and 5). The purpose of the separator is to protect the adhesive layer and is removed from the double adhesive sheet when it is in use (Page 3 of the translation, Paragraph 0007, lines 1 – 5). Therefore, the separator is not part of the final structure, which leaves the adhesive layer being the outermost layer of the structure.

In response to Applicant's argument that JP '663 fails to disclose the black layer and the adhesive layer being two distinct layers, the reflective being positioned between the second black layer and the second pressure sensitive adhesive layer and the white pigment being between a black layer and an adhesive layer, JP '663 discloses (Page 3 of the translation, Paragraph 0005, lines 14 – 22), a first black layer (Page 5 of the translation, Column 1, Paragraph 0011, lines 10 – 27), a lamination layer (Figure 1, #3), a second black layer (Page 5 of the translation, Column 1, Paragraph 0011, lines 10 – 27), a second flexible base layer (Page 3 of the translation, Paragraph 0005, lines 14 – 22), and a second pressure-sensitive adhesive layer (Figure 1, #2). JP '664 clearly discloses that additional layers may be present in the construction of the double sided adhesive, which allows the black layer and the adhesive layer being two distinct layers.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patricia L. Nordmeyer whose telephone number is (571) 272-1496. The examiner can normally be reached on Mon.-Thurs. from 10:00-7:30 & alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rena L. Dye can be reached on (571) 272-3186. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1794

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Patricia L. Nordmeyer/
Primary Examiner, Art Unit 1794

Patricia L. Nordmeyer
Primary Examiner
Art Unit 1794

pln